

94

28/72/B

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application No.	10/009,985	
	Filing Date	December 11, 2001	
	First Named Inventor	Jung-Chih CHIAO	
	Examiner Name	Ben, Loha	
	Group Art Unit	2873	
Total Number of Pages in This Submission	116	Attorney Docket No.	A-68677/MSS (464334-95)

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO/SB/08A-B (2 pgs.); three (3) copies of International Search Reports; 25 references; check for \$180.00 and self-addressed stamped Postcard.
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input checked="" type="checkbox"/> Supplemental Information Disclosure Statement and Statement of Relatedness (3 pgs.)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, No. of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Maria S. Swiatek, Esq., Reg. No. 37,244 DORSEY & WHITNEY LLP 4 Embarcadero Center, Suite 3400 San Francisco, CA 94111 Telephone : 650-494-8700	Customer Number 32940
Signature	<i>Maria Swiatek</i>	
Date	April 10, 2004	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with Sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Typed or printed name	Kari Bateman		
Signature	<i>Kari Bateman</i>	Date	April 10, 2004

APPLICATION FEE TRANSMITTAL SHEET (FY 2004)



Complete if Known

Application No.	10/009,985
Filing Date	December 11, 2001
First Named Inventor	Jung-Chih CHIAO
Group Art Unit	2873
Examiner Name	Ben, Loha
Atty. Docket Number	A-68677/MSS (464334-95)

METHOD OF PAYMENT (Check One)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account No.: 50-2319

Deposit Account Name: DORSEY & WHITNEY LLP

☒ Charge any additional fees or credit any over payments to required under 37 C.F.R. 1.16 and 1.17 to:

Deposit Account No.: 50-2319

Deposit Account Name: DORSEY & WHITNEY LLP

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)

2. ☒ Check Enclosed in the amount of \$180.00

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee	Small Entity Fee	Fee Description
160	80	<input type="checkbox"/> Provisional Filing Fee
770	385	<input type="checkbox"/> Utility Filing Fee
340	170	<input type="checkbox"/> Design Filing Fee
770	385	<input type="checkbox"/> Reissue Filing Fee

Subtotal (1)

2. EXTRA* CLAIM FEES

Number Claims	Prior	Extra	Fee from Below*	Fee Paid
Total	- 20	=	x \$9.00	= \$
Indep.	- 3	=	x \$43.00	= \$
Multiple Dependent Claims	=	x	\$145.00	= \$

Subtotal (2)

*Calculation of Extra Claim Fees

Large Entity Fee	Small Entity Fee	Fee Description
18	9	Claims in excess of 20
86	43	Independent claims in excess of 3
290	145	Multiple dependent Claim
84	42	Reissue independent claims over original patent
18	9	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late non-provisional filing fee or oath	
180	180	Submission of IDS	\$180.00
40	40	Recording each patent assignment per property (times number of properties)	
110	55	Extension for reply within first month	
420	210	Extension for reply within second month	
950	475	Extension for reply within third month	
1,480	740	Extension for reply within fourth month	
2010	1005	Extension for reply within fifth month	
770	385	Submission After Final 1.129	
330	165	Notice of Appeal	
330	165	Filing a brief in support of an appeal	
290	145	Request for oral hearing	
110	55	Terminal Disclaimer Fee	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
1,330	665	Utility/Reissue Issue Fee (including advance copies)	
480	240	Design Issue Fee (inc. advance copies)	
770	385	Request for Continued Examination (RCE)	
300	300	Publication fee for early, voluntary, or normal publication	
300	300	Publication fee for re-publication	
110	55	Petition to Revive - unavoidable	
1,330	665	Petition to Revive - unintentional	

OTHER FEE (specify):

Subtotal (3)

\$180.00

Total Amount of Payment:

\$180.00

Submitted by:

Name: Maria S. Swiatek, Reg. No.: 37,244

Telephone: (650) 494-8700

DORSEY & WHITNEY LLP

Four Embarcadero Center, Suite 3400
San Francisco, California 94111-4187

Customer Number 32940

Signature:

Maria Swiatek

Date: April 12, 2004



PATENT
Attorney Docket No. A-68677/MSS
Dorsey File No. 464334-95

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jung-Chih CHIAO

U.S. Serial No.: 10/009,985

Filing Date: December 11, 2001

For: *MEMS OPTICAL COMPONENTS*

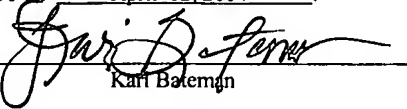
Examiner: Ben, Loha

Art Unit: 2873

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on April 12, 2004.

Signed:


Karl Bateman

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND
STATEMENT OF RELATEDNESS

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the reference cited on the accompanying substitute for form PTO/SB/08A-B. Copies of the references are enclosed herewith.

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicant draws the Examiner's attention to the following patent application: U.S. Application Serial No. 10/312,676, filed December 9, 2002 (now pending).

04/14/2004 FFANAEIA 00000064 10009985

01 FC:1806

180.00 0P

U.S. Serial No.: 10/009,985
Filing Date: December 11, 2001

Further, in accordance with the provisions of 37 C.F.R. §§ 1.97(c) and 1.97(e)(1), enclosed are copies of the International Search Reports for the following counterpart PCT applications and the undersigned certifies that references:

1. A1-A5 and A14 listed on the enclosed form PTO/SB/08A-B were cited in the International Search Report dated October 13, 2004, for a counterpart PCT application (PCT/US00/16024);
2. A6-A12, A15-A17, and B3 listed on the enclosed form PTO/SB/08A-B were cited in the International Search Report dated November 1, 2000, for a counterpart PCT application (PCT/US00/16021); and
3. A13 listed on the enclosed form PTO/SB/08A-B was cited in the International Search Report dated October 18, 2000 for a counterpart PCT application (PCT/US00/16023);

None of the foregoing references is believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

Pursuant to 37 C.F.R. §1.97(c), enclosed is a check in the amount of \$180.00 as set forth in 37 C.F.R. §1.17(p). While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 464334-95 (A-68677/MSS)).

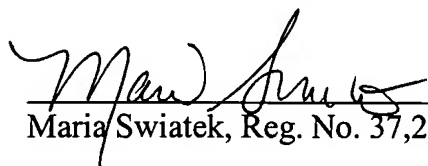
U.S. Serial No.: 10/009,985
Filing Date: December 11, 2001

Please direct any calls in connection with this application to the undersigned at
(650) 494-8700.

Respectfully submitted,
DORSEY & WHITNEY LLP

Dated: April 12, 2004

BY:

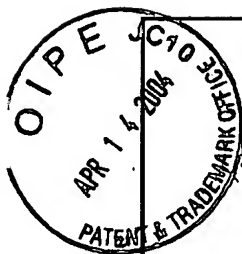

Maria Swiatek, Reg. No. 37,244

Dorsey & Whitney LLP
Intellectual Property Department
Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
Telephone: (650) 494-8700
Facsimile: (650) 494-8771

Customer Number: **32940**

Attachments:

Return receipt postcard
Transmittal (1 pg.)
Fee Transmittal (1 pg.) and check for \$180.00
Form PTO/SB/08A-B (2 pgs.)
Copy of International Search Report dated October 13, 2000 (PCT/US00/16024)
Copy of International Search Report dated November 1, 2000 (PCT/US00/16021)
Copy of International Search Report dated October 18, 2000 (PCT/US00/16023)
Twenty-five (25) references



Substitute for form 1449A/PTO
(Modified)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number **10/009,985**
Filing Date **December 11, 2001**
First Named Inventor **Jung-Chih CHIAO**
Art Unit **2873**
Examiner Name **Ben, Loha**
Attorney Docket Number **A-68677/MSS (464334-95)**

Sheet **1** of **2**

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	3,574,438	04-13-1971	Carson	
	A2	3,576,579	04-27-1971	Applebaum	
	A3	3,708,796	01-02-1973	Gilbert	
	A4	5,047,783	09-10-1991	Hugenin	
	A5	5,170,169	12-08-1992	Stephan	
	A6	5,412,186	05-02-1995	Gale	
	A7	5,485,304	01-16-1996	Kaeriyama	
	A8	5,512,374	04-30-1996	Wallace et al.	
	A9	5,646,768	07-08-1997	Kaeriyama	
	A10	5,706,123	01-06-1998	Miller et al.	
	A11	5,768,007	06-16-1998	Knipe et al.	
	A12	5,835,256	11-10-1998	Huibers	
	A13	5,903,393	05-11-1999	Kalibjian	
	A14	5,982,326	11-09-1999	Chow et al.	
	A15	5,994,159	11-30-1999	Aksyut et al.	
	A16	6,046,840	04-04-2000	Huibers	
	A17	6,101,371	08-08-2000	Barber et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² Number ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	B1	WO 01/96928 A1	12-20-2001	University of Hawaii		
	B2	WO 00/77543 A1	12-21-2000	University of Hawaii		
	B3	WO 00/77877 A1	12-21-2000	University of Hawaii		
	B4	WO 00/77556 A1	12-21-2000	University of Hawaii		

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	10/009,985
Filing Date	December 11, 2001
First Named Inventor	Jung-Chih CHIAO
Group Art Unit	2873
Examiner Name	Ben, Loha
Attorney Docket Number	A-68677/MSS (464334-95)

Sheet	2	of	2
-------	---	----	---

NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English Language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

()